

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ALFONSO CIOFFI ET AL

v.

GOOGLE, INC.

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Case No. 2:13-CV-103-JRG

**MINUTES FOR JURY TRIAL DAY FOUR
HELD BEFORE U. S. DISTRICT JUDGE RODNEY GILSTRAP
FEBRUARY 9, 2017**

OPEN: 8:29 a.m.

ADJOURN: 4:30 p.m.

ATTORNEYS FOR PLAINTIFF: See attached.

ATTORNEYS FOR DEFENDANT: See attached.

LAW CLERKS: Angela Oliver
Clint South
Matthew Zorn

COURT REPORTER: Shelly Holmes, CSR-TCRR

COURTROOM DEPUTY: Jan Lockhart

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| TIME | MINUTES |
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| 8:29 a.m. | Court opened. Exhibits used prior day read into the record. |
| 8:33 a.m. | Jury returned to the courtroom. . |
| 8:33 a.m. | Direct examination of Michael Kogan, Ph.D. by Mr. Ameling. |
| 8:46 a.m. | Cross examination of Michael Kogan Ph.D. by Mr. Benisek. |
| 9:13 a.m. | Redirect examination of Michael Kogan Ph.D. by Mr. Ameling. |
| 9:18 a.m. | Recross examination of Michael Kogan Ph.D. by Mr. Benisek. |
| 9:22 a.m. | Parties passed the witness. |
| 9:23 a.m. | Direct examination of Chris Bakewell by Mr. Jones. |
| 10:07 a.m. | Courtroom sealed. |
| 10:16 a.m. | Bench conference. |
| 10:21 a.m. | Courtroom unsealed. Recess. |
| 10:35 a.m. | Court reconvened. Jury returned to the courtroom. |
| 10:37 a.m. | Cross examination of Chris Bakewell by Mr. Davis. |
| 10:46 a.m. | Bench conference. |
| 10:47 a.m. | Cross examination of Chris Bakewell by Mr. Davis. |
| 11:13 a.m. | Defendant rested. |
| 11:14 a.m. | Direct examination of Hubert E. Dunsmore, Ph.D. by Mr. Benisek. |
| 12:02 p.m. | Bench conference. Lunch recess until 12:40 |
| 12:59 p.m. | Court reconvened. Direct examination of Hubert E. Dunsmore, Ph.D. by Mr. Benisek. |
| 1:12 p.m. | Cross examination of Dr. Dunsmore by Ms. Simmons. |
| 1:47 p.m. | Bench conference. |
| 1:48 p.m. | Cross examination of Dr. Dunsmore by Ms. Simmons. |
| 2:36 p.m. | Recess. |
| 2:58 p.m. | Redirect examination of Dr. Dunsmore by Mr. Benisek. |
| 3:03 p.m. | Bench conference. |
| 3:04 p.m. | Redirect examination of Dr. Dunsmore by Mr. Benisek. |
| 3:06 p.m. | Recross examination of Dr. Dunsmore by Ms. Simmons. |
| 3:07 p.m. | Witness excused. |
| 3:08 p.m. | Direct examination of Aviel Rubin, Ph.D. by Mr. Benisek. |
| 3:23 p.m. | Cross examination of Aviel Rubin, Ph.D. by Mr. Snyder. |
| 3:35 p.m. | Redirect examination of Aviel Rubin, Ph.D. by Mr. Benisek. |
| 3:37 p.m. | Parties passed the witness. Jury excused until 9:00 a.m. |
| 3:38 p.m. | Recess. |
| 3:56 p.m. | The Court heard arguments on Judgments as a matter of Law. Mr. Benisek argued for Plaintiff. Ms. Simmons argued for Defendant. The Court ruled on the Motions. |

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| 4:30 p.m. | Court adjourned. |